United Nations S/2008/588

Security Council

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Note verbale dated 26 August 2008 from the Permanent Mission of Costa Rica to the United Nations addressed to the Secretary-General

The Permanent Mission of Costa Rica to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith a note dated 22 August 2008, which refers to the matter relating to the oil-for-food programme that is under consideration by the Security Council (see annex).

In this regard, the Permanent Mission of Costa Rica, on instructions from its Government, would like to request that the present note and its annex be circulated as a document of the Security Council.

08-49445 (E) 110908 110908

Annex to the note verbale dated 26 August 2008 from the Permanent Mission of Costa Rica to the United Nations addressed to the Secretary-General

I hereby present my compliments to you and have the honour to refer to the matter relating to the oil-for-food programme that is under consideration by the Security Council.

The Government of the Republic of Costa Rica has paid careful attention to this matter since 2005; the actions of Costa Rica in this regard are set out in the attached document (see enclosure). In this context, the letter dated 25 July 2008 from the Permanent Mission of Costa Rica to the United Nations was circulated as a document of the Security Council on 4 August 2008. In that letter, the President of the Security Council was requested to coordinate with you in order to ensure that the possible closure of the programme would not expose the Organization to questions on the financial management of the programme.

We are pleased to know that the Working Group referred to in document S/2008/492 shares our view, as set out in paragraph 17 of the attachment to that document, that "payment under the programme pursuant to the relevant letters of credit requires the presentation of relevant authentication documents. Therefore, payment by the Secretary-General in the absence of documentation, namely the confirmations of arrival, would be contrary to that framework and hence would expose the Organization, its representatives and agents to claims".

In that connection, we would like to reiterate, as a matter of urgency, our request that you send us, through official channels, the list of all natural and legal persons with outstanding invoices from the oil-for-food programme. This is especially important for the purpose of giving objective and appropriate consideration to the decisions to be taken within the framework of the Security Council's discussions regarding the proposals contained in document S/2008/492.

Furthermore, given that the reports of the International Advisory and Monitoring Board of 14 December 2004, 18 December 2006 and 29 February 2008 revealed significant shortcomings and weaknesses in the administration of the Development Fund for Iraq, we are concerned that the proposal contained in paragraph 18 (c) of the attachment to document S/2008/492 considers the possibility of transferring to the Development Fund for Iraq the funds in the escrow account corresponding to outstanding claims.

(*Signed*) Bruno **Stagno**
Minister for Foreign Affairs and Worship of Costa Rica

Enclosure

Non-paper: oil-for-food programme

Background

21 April 2004: adoption of resolution 1538 (2004)

3 February 2005: online publication of the first interim report

29 March 2005: online publication of the second interim report

8 August 2005: online publication of the third interim report

7 September 2005: online publication of the report on the management of the oil-for-food programme

27 October 2005: online publication of the report on the manipulation of the oil-for-food programme. Following a legally inappropriate announcement in the context of the General Assembly, Costa Rica requested clarification from the Secretariat; the response received was unsatisfactory. Costa Rica also officially requested the Secretariat to distribute past reports to all Member States. Meetings were later held on the matter with the Deputy Secretary-General, Louise Fréchette, Under-Secretary-General Christopher Burnham and the Chef de Cabinet of the Secretary-General, Mark Malloch-Brown.

9 November 2005: meeting with Under-Secretary-General Chen to reiterate Costa Rica's request for the official distribution by the Secretariat of past reports to all Member States. The Secretariat later provided a copy of the report of 7 September 2005 (report on the management of the oil-for-food programme) to each interested Member State.

17 November 2005: transmittal of a letter to the Secretary-General (A/60/235) requesting, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion of an additional item in the agenda of the sixtieth session of the General Assembly, entitled "Follow-up to the recommendations of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme". The letter included, in an annex, an explanatory memorandum setting out the reasons for the request, and also stated that the delegation of Costa Rica wished to participate in any meeting of the General Committee at which the request was discussed, in accordance with rule 43 of the rules of procedure of the General Assembly.

13 December 2005: General Committee meeting. Costa Rica formally requested the inclusion of an additional agenda item entitled "Follow-up to the recommendations of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme". The request was approved by the General Committee.

Rationale

This request is submitted by the Government of Costa Rica on the basis of detailed and exhaustive monitoring of the work of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme since its establishment, endorsed by the Security Council in resolution 1538 (2004). Costa Rica's efforts in this regard can be illustrated by the following facts.

1. On 31 January 2005, during informal consultations of the General Assembly on the report of the High-level Panel on Threats, Challenges and Change, Costa Rica for the first time referred to the problems stemming from the mismanagement of the oil-for-food programme, stating the following: "One of the issues not addressed by the Panel, and which concerns the very basis of the credibility of the United Nations, is the flaws in the internal monitoring and oversight system and the unwillingness to deal with problems in a prompt and determined manner. The allegations concerning the oil-for-food programme, as well as cases of sexual exploitation, abuse and corruption of minors by members of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), reveal serious shortcomings in the system in terms of internal monitoring and inspection. Although both situations are currently under examination, as indeed they should be, by the Independent Inquiry Committee (IIC) and the Office of Internal Oversight Services (OIOS), these investigations were undertaken belatedly, years after evidence of crimes and irregularities had begun accumulating."

2. On 22 February 2005, two weeks after the publication of the Committee's first interim report, Costa Rica reiterated the position it had stated not long before, during informal consultations prior to the publication of the Secretary-General's report (A/59/2005).

3. On 8 April 2005, one week after the publication of the Committee's second interim report, Costa Rica once again raised the matter under items 45 and 55 of the agenda of the General Assembly, stating:

> "During the informal consultations on the report of the High-level Panel, we expressed surprise at the report's failure to address internal threats and challenges as immediate, troubling and damaging as the glaring failures in the oversight and management of the oil-for-food programme and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). We strongly urge the Secretary-General to exorcize those demons openly and resolutely. We welcome the fact that the Secretary-General has addressed both issues indirectly, but we also believe that neither will be properly resolved if we continue to understate the truth.
>
> "In paragraph 113 of the report, in what we believe to be a true understatement, the Secretary-General refers to 'recent allegations of misconduct by United Nations administrators and peacekeepers'. On oil-for-food, the Independent Inquiry Committee's findings include conflict of interest, pre-emption and frustration of competitive bidding processes for political reasons, non-documentation of decision-making processes, non-verification of references provided by bidding parties and other systematic violations of formal procurement and management rules and procedures. Although a number of internal reforms are currently under way to increase transparency and accountability in the area of administration, none of them seem to be sufficiently important to merit inclusion in the report. We respectfully disagree with such omissions. We believe that now that the repeated and knowing short-circuiting and violation of formal rules and procedures has been documented, correcting the failings of the system is central to the credibility of the United Nations."

4. On 16 September 2005, five weeks after the publication of the Committee's third interim report and one week after the publication of the report on the

management of the oil-for-food programme, the then Vice-President of Costa Rica, Ms. Lineth Saborío Chavarri, in her statement at the 2005 World Summit, said the following: "Regarding management, and with a view to ensuring the unique legitimacy of this Organization, we consider it indispensable to strengthen the Organization's and oversight mechanisms, and we request the General Assembly to consider in depth the recommendations of the Volcker report. We believe it is necessary to face up with absolute transparency to the mismanagement cases and the allegations of corruption that have surfaced with the Organization in recent months."

5. On 27 October 2005, the report on the manipulation of the oil-for-food programme was published and was presented at an informal meeting of the General Assembly, chaired by the Under-Secretary-General for Management. At that meeting, Costa Rica once again raised the importance of informing Member States formally of the matter.

Costa Rica has insisted on the proper follow-up of the recommendations of the Independent Inquiry Committee on the management of the oil-for-food programme on the basis of the following points:

- In the negotiations on the 2005 World Summit Outcome, the Committee's reports and its recommendations were cited on numerous occasions, but there was no mention of them in the outcome document;
- The Committee concluded that the difficulties encountered in terms of administration and internal oversight of the oil-for-food programme were symptomatic of systemic problems in United Nations administration and that the lessons drawn were applicable to the Organization as a whole;
- In the report's conclusion, it was stated that professional disciplines at the United Nations were weak and eroded from its senior levels on down;
- In section XII of volume I, the report contained the following recommendations, which fall within the competence of the General Assembly:

1. Create the position of "Chief Operating Officer" (COO). Recommendation not included in the 2005 World Summit Outcome;
2. Strengthen independence of oversight and auditing. Recommendation included in the 2005 World Summit Outcome and currently under consideration by the General Assembly;
3. Improve coordination and the oversight framework for cross-agency programmes. Recommendation not included in the 2005 World Summit Outcome;
4. Reform and improve management performance. Recommendation included in the 2005 World Summit Outcome and currently under consideration by the General Assembly;
5. Expand conflict-of-interest and financial disclosure requirements. Recommendation included in the 2005 World Summit Outcome and currently under consideration by the General Assembly;
6. Cost recovery. Recommendation not included in the 2005 World Summit Outcome.

As can be seen, a number of the above recommendations are being considered by the General Assembly and, without prejudging the validity or merit of the remaining ones, we consider it of vital importance that Member States be aware of all the recommendations as well as the rationale behind them or the justification provided, with a view to taking balanced decisions on administrative matters within the framework of discussions on United Nations reform.

When the report was presented to the Security Council on 7 September 2005, the Chairman of the Independent Inquiry Committee stressed the need for urgency, stating that "action should be taken by the time the General Assembly completes its meetings in 2006". In light of the importance that Costa Rica attaches to the recommendations of the Committee, and given the official expiry of the Committee's mandate on 31 December 2007, we consider it necessary for the General Assembly, and the Security Council as appropriate, to consider these proposals in order to take the appropriate measures.

It should be noted that the reports of the Independent Inquiry Committee are not currently official United Nations documents; they therefore bear no symbol and are not available in the six official languages.

"Hold" on the closure of the programme

Although Costa Rica has been a non-permanent member of the Security Council since 1 January 2008, we succeeded only very recently in obtaining the list of companies that still have outstanding letters of credit for goods or services provided under the oil-for-food programme. The degree of overlap between the companies on that list and those appearing in tables VII and VIII (actual and projected illicit payments on contracts for humanitarian goods) of the Independent Inquiry Committee's report of 27 October 2005 makes it even more relevant to conduct an in-depth study on the potential closure of the programme. Costa Rica therefore believes it would be appropriate to maintain a "hold" on the final closure of the programme until there is full assurance that no endorsement is being given for payments for goods and services that have not been duly delivered in a timely manner and in accordance with the terms of the contracts signed, or for payments with surcharges or commissions.

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Letter dated 29 August 2008 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request that the full version of the Philippine statement for the open debate concerning the working methods of the Security Council, particularly the implementation of measures contained in the note by the President (S/2006/507), held on 27 August 2008 (see annex), be circulated as a document of the Security Council.

(*Signed*) Hilario G. **Davide** Jr.
Permanent Representative

08-49456 (E) 100908

Annex to the letter dated 29 August 2008 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

My delegation wish to start with this Serenity Prayer attributed to Reinhold Niebuhr:

God give us the grace to accept with serenity the things that we cannot change;

Courage to change the things which should be changed;

And the wisdom to distinguish one from the other.

For the Security Council, calls for changes or reforms are becoming louder and stronger. In due course, they may even become irresistible. For this open debate, the focus is on changes or reforms in its working methods.

Many Member States, including the Philippines, believe that this area of Security Council reform is the least controversial and is immediately achievable. These changes on reform in its working methods could have been successfully pursued much earlier were they not, unfortunately, mingled with or tied to the apron strings of other Security Council reform proposals, such as on the question of equitable representation on and increase in the membership of the Security Council, or even on the veto power. The genesis of the need for Security Council reforms may even be said to have begun from its establishment.

The question of equitable representation on and increase in the membership in the Security Council appeared on the agenda of every session from 1979 to 1990 without being debated. The issue of reforms in its working methods saw birth after the constitution in 1993 of the Open-ended Working Group (General Assembly resolution 48/26); and appeared in the Group's third report, of 13 September 1996 (A/50/47). That was exactly 21 years, 11 months and 14 days ago today. Yet nothing concrete has happened.

This open debate today is a clear message that reforms in the working methods of the Security Council can, and should, be taken separately from the other reform proposals which are more complex and complicated. This open debate attests to the acknowledgement by the Security Council of the need for it to come openly into the picture and demonstrate its political will and moral courage to reform its own working methods.

Thus, the Philippines commends and expresses gratitude to the Belgian presidency of the Security Council for holding this open debate in the last week of its presidency, thereby happily ending its stewardship with a historic event. The Philippines also commends, first, the Security Council and its members, for its efforts to address the concerns raised by Member States on its working methods, especially for the work of the Council's Informal Working Group on Documentation, which produced the landmark note by the President (S/2006/507) of 19 July 2006. Fittingly and appropriately, this note is at the heart of this open debate. The note, a user-friendly compilation of the Council's best practices and newly agreed measures, is an exceptionally good first step in making the Council's work more transparent to the general membership. Second, the S-5 Group, composed of Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland, for its perseverance and persistence in pursuing its advocacy to improve the working

methods of the Council and for its initiative to propose the holding of this open debate today. Third, Japan, which, as Chair then of the Working Group, came out with the presidential note. We are confident that Panama, the current Chair of the Working Group, would with zeal and sustained dedication, continue the work of the Working Group. Fourth, Viet Nam, for conducting almost at the end of its presidency of the Security Council last month the first informal meeting open to all Member States to solicit comments and suggestions on the drafting of the Council's annual report. Finally, the Austrian Mission for sponsoring the Austrian Initiative 2004-2008 on the Security Council and the rule of law. A few months ago it launched its final report and recommendations, which contains constructive and useful recommendations.

Howsoever viewed, strong, valid, just and equitable grounds exist why the Security Council should now decide and adopt the needed changes or reforms in its working methods.

We must bear in mind — and never forget — that pursuant to Article 24 of the Charter, for the purpose of ensuring prompt and effective action, the Member States have conferred on the Security Council primary responsibility for the maintenance of international peace and security. From the book of Bruno Simma (*The Charter of the United Nations, A Commentary*, vol. 1, 2nd ed., 449) we find that a majority view holds that this conferment is a surrender of a part of the Member States' sovereignty. A minority view holds that this conferment is but a delegation of powers by Member States. It follows that, as of today, 177 Member States have, under the majority view, surrendered a part of their sovereignty; or, under the minority view, delegated a part of their powers to the Security Council for this purpose only, to wit: ensuring prompt and effective action in the maintenance of international peace and security. In carrying out its duties in relation to this responsibility, the Security Council is vested tremendous specific powers under Chapters VI, VII, VIII and XII of the Charter. According to Simma (op. cit. 448), the enumeration of specific powers does not preclude the exercise of general powers, for the granting of "specific" powers logically presupposes the granting of "general" powers. Note also that, under Article 25 of the Charter, all Member States have agreed to accept and carry out the decisions of the Security Council in accordance with the Charter. For this reason, Article 24 makes it clear that, in carrying out its powers, the Security Council must act on their behalf, and in discharging these duties it shall act in accordance with the principles and purposes of the United Nations. These are impositions of solemn burdens that demand accountability at all times.

It may further be pointed out that under Article 94 (2) of the Charter the Security Council is tasked with the power and duty to execute or enforce judgments of the International Court of Justice.

All told, and in the light of the decisions, resolutions and actions it has so far taken in the exercise of its powers, express or implied, the Security Council is described as a legislator, judge and executive in the final report and recommendations from the Austrian Initiative 2004-2008 I mentioned earlier.

It is needless to stress that because of such tremendous powers as legislator, judge and executive, the Security Council, either as holder — or better yet, trustee — of the surrendered part of the sovereignty of Member States or as their delegate/agent for the exercise of that surrendered part, must, in its working

methods — now principally condensed in its rules of procedure — strictly adhere to democratic practices and procedures; observe due process; and guarantee fairness, justice and equity to all concerned. Otherwise stated, as recommended in the final report and recommendations from the Austrian Initiative, it must observe the Rule of Law in all its proceedings.

Among the essential elements of these guiding principles are accountability, fidelity to the trust, predictability and transparency.

Thus, in general, the Philippines strongly recommends that those portions of the note by the President (S/2006/507) that relate to these guiding principles and essential elements must now be reduced or converted into concrete and specific rules to be embodied in the rules of procedure.

In particular, the Philippines requests the kind indulgence of the Council to look deeper into and consider these specific reform proposals which necessarily involve changes in or amendments to its rules of procedure.

First, the rules of procedure of the Security Council, which have remained provisional for 62 years, must now cease to be provisional. This would remove any doubt, even perhaps only lingering, that the Security Council has made them so to give it unlimited flexibility to disregard or change them at any time, thereby making its future judgements or actions unpredictable. Such doubt should not be allowed a moment longer for it would not contribute to the respect and esteem due to the Security Council or to the strengthening of the trust and confidence in it of the Member States.

Consequently, the word provisional in the body of its rules, described and known as the provisional rules of procedure of the Security Council, should be deleted. Such deletion would do no harm to the Council. So far, the processes or methods through which its actions, resolutions or decisions were reached have been guided by application or interpretation of the rules, and by application of the principles of international law, as well as of the doctrines of *res judicata* or *stare decisis* in appropriate cases. These have bound the Security Council to observe and maintain consistency. Consider too, that in 62 years there have been, I understand, only six revisions to the rules. This is proof that the rules of procedure have gained a very high degree of permanency. And if account is taken of the fact that among the principal organs of the United Nations only the Security Council has retained or maintained provisional rules of procedure, then something indeed is amiss. Many may find the provisional character of the 62-year-old rules of procedure of the Security Council a conundrum in judicial practice; they cannot divine its logic. In this regard, I also concur with the recommendation of the Austrian Initiative I earlier mentioned that it would be part of the Security Council's commitment to the rule of law that it should adopt formal rules of procedure rather than continuing to rely on provisional rules.

Second, due process and the rule of law demand that Member States which are not members of the Security Council but are the subject of Security Council scrutiny should have the right to appear before the Council at all stages of the proceedings thereon to state or defend their position on the issue subject of or related to the scrutiny. At present such participation is unfairly limited by rules 37 and 38 of the provisional rules of procedure. Under section 37 such non-Security Council member State may be invited to participate only as a result of a decision of the Council, and

only when the Council considers that the interests of such non-member are specially affected, or when such non-Security Council member brings a matter to the attention of the Council in accordance with Article 35 (1) of the Charter. Why should the appearance of such non-Security Council member be limited to only after a decision has been reached? And why should such appearance be at the discretion of the Council? This is a denial of due process, a violation of the basic principle of the rule of law. Due process and the rule of law require that a party must be heard before it is condemned.

Then, under rule 38, while any Member of the United Nations invited to participate under rule 37 or in application of Article 32 of the Charter may submit proposals and draft resolutions, these proposals or draft resolutions can be put to the vote only at the request of a representative on the Security Council. Why allow the State concerned to submit proposals or draft resolutions when these cannot at all be voted upon unless a Council member so requests? If the proponent State has no friends in the Council, the right given to it to propose is rendered meaningless, an exercise in futility.

Thus, the Philippines recommends that rule 37 be amended such that a United Nations Member State which is not a member of the Security Council but which is under its scrutiny has the right to be present and to be heard during all proceedings in regard to such scrutiny and in any subsequent incident which may arise therefrom; and that rule 38 be amended such that the proposals or draft resolutions submitted by such State shall be deliberated, acted upon and voted by the Security Council without the requirement of a request from a member thereof.

Third, in view of the great increase in the general membership of the United Nations from the time of its founding, there is a need for the Security Council to hear the views of the general membership. Hence, the Council should increase the number of meetings, including its informal meetings, which are open to the general membership at various stages of consideration of a particular matter. This will further promote accountability and transparency and tend to enhance more active cooperation of the general membership with the Council on the implementation of decisions taken on such matter. The Philippines is pleased to know that the note by the President reaffirms the commitment to increase recourse to open meetings. The necessary changes in this regard can be reflected in chapter I of the rules of procedure.

Fourth, in compliance with the requirements of the principles of accountability and transparency, the Security Council should consider the wisdom and propriety of the desire of Member States, particularly those which are not members of the Council, to full information on issues discussed by it. They expect output documents to be faithfully or truly reflective of the discussions/deliberations in the Council. In short, they want to know if, indeed, the Council has acted on their behalf in accordance with Article 24 of the Charter. Fidelity to this relationship is best reflected in the annual report of the Council. The first informal meeting on the matter of the annual report convened during the presidency of Viet Nam last month disclosed many significant observations. The Philippines then expressed the view that the report must be comprehensive and analytical, and must indicate the action taken by the Council and the views of the members during the consideration of the agenda items. These will provide the general membership the information as to how the individual members of the Council justified their position on any issue,

especially those concerning a Member State or when a permanent member exercised the veto power. It has been observed that, as presented now, the annual report is not actually a report according to the true meaning of the nomenclature. One would find to be more useful the *Repertoire of the Practice of the Security Council* published by the Secretary-General pursuant to General Assembly resolution 686 (VII). The *Repertoire* is a veritable constitutional guide to the proceedings of the Security Council. The Council may look into the way the *Repertoire* is crafted and see how the presentation of information can be done beyond simple documentation. The Council and the Secretariat may consider working together on an appropriate format which could provide the substantive information sought by Member States without, of course, divulging confidential information. In short, they may consider combining or merging the annual report and the *Repertoire*.

The Security Council should also consider releasing periodic reports or substantive summaries to the General Assembly on matters of which the Council is seized during the course of each year — given that the annual report to the General Assembly deals with matters considered during the preceding year. Periodic reporting would enable the General Assembly and the general membership to gain a more current appreciation of the status of matters before the Council.

The views expressed by the Philippine delegation and other delegations which have spoken or will yet speak are not addressed to a different audience. The Security Council members are also members of the General Assembly and know too well the valid concerns raised by the general membership. Thus, we hope to see the light at the end of the tunnel on the issue of reforms in the working methods of the Security Council within a reasonable time from today.

Let me end by quoting Charles Kettering: "The world hates change, yet it is the only thing that has brought progress."

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Security Council

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Letter dated 3 September 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General

I have the honour to forward to you the attached concept paper for the Security Council meeting on "Mediation and settlement of disputes", to be held on 23 September 2008 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Michel **Kafando**
Ambassador
Permanent Representative

08-49568 (E) 040908 040908

Annex to the letter dated 3 September 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General

High-level meeting on the topic "Mediation and settlement of disputes" (New York, 23 September 2008)

Concept paper

As President of the Security Council for September 2008, Burkina Faso would like to invite the members of the Council and the international community as a whole to a meeting to exchange views on the contribution of mediation to the maintenance of peace and security in the world and on ways and means of strengthening peace and security.

The settlement of disputes by peaceful means has always been a major concern of the international community.

The Hague Convention of 1907 on the pacific settlement of international disputes, the Covenant of the League of Nations and the Kellogg-Briand Pact of 1928 represent major stages in and significant contributions to codification efforts in this area.

Article 2, paragraph 3, of the Charter of the United Nations enshrines the principle of peaceful settlement of international disputes. Mediation is one among the wide range of methods defined in Article 33 of the Charter.

Over time, the increasingly frequent recourse to mediation, conducted by actors with widely varying backgrounds, has made it one of the principal alternatives for the settlement of contemporary conflicts. The end of the cold war and the pervasiveness of globalization, which have both led to the search for constructive compromise, have served to underline the importance of mediation.

As the principal organ of the United Nations for the maintenance of international peace and security, the Security Council is closely involved with the evolving situation, just like the General Assembly and the Secretary-General, who, by means of special envoys, and special or personal representatives, contribute to the prevention of conflicts or address sources of tension worldwide. With over a half century of experience, the United Nations has developed a vision and established fairly effective mechanisms for prevention and settlement of conflicts through mediation. In particular, the Agenda for Peace (1992) and its Addendum (1998), the report of the Secretary-General on the causes of conflict in Africa (1998), and the Brahimi report (2000), provide an important framework for action and for the establishment, under the Department of Political Affairs, of United Nations missions for the prevention and settlement of conflicts.

At the subregional and regional level, there are also initiatives, mechanisms and institutions for the governance of the action of organizations and States in the area of mediation and other methods of peaceful settlement of disputes. Mediation has a greater likelihood of success at these levels, one reason probably being the fact that the parties to the dispute and the mediator share the same geographical, historical, economic, social, cultural and demographic background.

Therefore, for greater efficiency, the international community, including the United Nations, should provide support for the local process, especially financial and logistical support.

Lastly, besides these inter-State forums, there exist a multitude of non-State structures that offer expertise in the general area of mediation and settlement of conflicts.

So many actors, mechanisms, structures and activities can be a wonderful source of enrichment in how to approach and conduct the mediation process. On the other hand, owing to lack of coordination, for example, or for other reasons, they can cause complications or even stall the mediation.

In addition to the overall objective of helping to promote mediation as a method of dispute settlement, the high-level meeting aims to achieve the following specific objectives:

- Evaluate United Nations activities and mechanisms in the area of mediation and review the implementation of resolution 1625 (2005) of 14 September 2005 on strengthening the effectiveness of the Security Council's role in conflict prevention, particularly in Africa, as well as the effectiveness of the relevant resolutions and declarations of the Council.
- Examine ways to make United Nations mediation more effective: operational and institutional aspects.
- Evaluate the functioning and contribution to conflict resolution of existing subregional and regional mechanisms for mediation, and make proposals to enhance their effectiveness.
- Explore ways and means to improve coordination of mediation activities (i.e. appointment of joint mediators ...).
- Provide a forum to exchange experiences in mediation (key figures, civil society, specialized centres ...) and to assess the influence of sociocultural factors, ownership of the process, etc.

The discussions in that respect could focus on the following questions:

- The role of the United Nations, especially the Security Council and the Secretary-General, in conducting mediation, and how that can be enhanced.
- The contribution of regional and subregional organizations.
- Support for regional mediation initiatives conducted by States Members and regional and subregional bodies (international support).
- The role of women and civil society in the mediation process.